

ARTHUR M. EIDELHOCH, Bar No. 168096
aeidelhoch@littler.com
GALEN M. LICHTENSTEIN, Bar No. 251274
glichtenstein@littler.com
LITTLER MENDELSON, P.C.
650 California Street, 20th Floor
San Francisco, California 94108.2693
Telephone: 415.433.1940
Facsimile: 415.399.8490

JACQUELINE E. KALK (*Pro Hac Vice*)
jkalk@littler.com
LITTLER MENDELSON, P.C.
80 South 8th Street, Suite 1300
Minneapolis, MN 55402.2136
Telephone: 612-313-7645
Facsimile: 612.677.3139

KELLY D. REESE (*Pro Hac Vice*)
kreese@littler.com
R. BRADLEY ADAMS (*Pro Hac Vice*)
radams@littler.com
LITTLER MENDELSON, P.C.
63 South Royal Street, Suite 901
Mobile, AL 36602.3218
Telephone: 251-432-2477
Facsimile: 251-432-0427

Attorneys for Defendants
CROWDFLOWER, INC., LUKAS BIEWALD
AND CHRIS VAN PELT

William T. Payne (SBN 90988)
Ellen M. Doyle (*Pro Hac Vice*)
Edward J. Feinstein (*Pro Hac Vice*)
STEMBER FEINSTEIN DOYLE PAYNE
& KRAVEC, LLC
429 Forbes Avenue, 17th Floor
Pittsburgh, PA 15219
412-281-8400 (T), 412-281-1007 (F)
wpayne@stemberfeinstein.com
edoyle@stemberfeinstein.com
efeinstein@stemberfeinstein.com

Mark A. Potashnick (*Pro Hac Vice*)
WEINHAUS & POTASHNICK
11500 Olive Blvd., Suite 133
St. Louis, MO 63141
314-997-9150 (T), 314-997-9170 (F)
markp@wp-attorney.com

Ira Spiro (SBN 67641)
Jennifer Connor (SBN 241480)
Justin F. Marquez (SBN 262417)
SPIRO MOORE, LLP
11377 W. Olympic Blvd., 5th Floor
Los Angeles, CA 89064
310-235-2468 (T), 310-235-2456 (F)
ira@spiromore.com
Jennifer@spiromore.com
Justin@spiromore.com

Attorneys for Plaintiffs
CHRISTOPHER OTEY, MARY GRETH
& THE CONDITONALLY CERTIFIED
FLSA COLLECTIVE ACTION CLASS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHRISTOPHER OTEY, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

CROWDFLOWER, INC., LUKAS
BIEWALD and CHRIS VAN PELT,

Defendant.

Case No. 3:12-cv-05524-JST/mej

**STIPULATION RE: CONTINUANCE OF
LITIGATION ACTIVITIES, INCLUDING
NOTICE OF CONDITIONAL
CERTIFICATION OF COLLECTIVE
ACTION, PENDING ANTICIPATED
SETTLEMENT AND MOTION FOR
COURT APPROVAL OF SAME**

[PROPOSED] ORDER

STIPULATION RE CONTINUANCE OF
LITIGATION ACTIVITIES

Case No. 3:12-cv-05524-JST

Plaintiffs CHRISTOPHER OTEY and MARY GRETH ("Plaintiffs") and Defendants CROWDFLOWER, INC., LUKAS BIEWALD and CHRIS VAN PELT ("Defendants"), by and through their respective counsel, hereby enter into the following Stipulation Regarding Continuance of Litigation Activities Pending Anticipated Settlement and Motion for Court Approval of Same. Specifically, by and through this Stipulation, the parties request that the Court grant the parties leave to continue all litigation activities, including responses to pending discovery requests and service/posting of notice of conditional certification of collective action, for an additional thirty days (from October 31, 2013) to allow the parties to continue to work toward a final settlement of the instant action in the wake of the parties' mediation which occurred October 18-19, 2013.

STIPULATION

1. The original Complaint in this action was filed on October 26, 2012 against Defendants CrowdFlower, Inc., Lukas Biewald and Chris Van Pelt.

2. No case management conference has yet occurred and the Court has not yet issued any scheduling order.

3. The initial case management conference is scheduled for 2:00 p.m. on December 11, 2013.

4. The parties participated in mediation on October 18-19, 2013. In anticipation of mediation, the parties sought and the Court granted a stay, pending mediation, up to and including October 31, 2013. (Doc. No. 177).

5. Based on the mediation and subsequent settlement discussions, counsel for the parties believe that finalizing a settlement of this action is likely. However, given the complex nature of this putative collective and class action, additional time is needed by the parties to try to finalize all of the terms of a settlement agreement. The parties desire to focus their efforts on reaching a final settlement rather than devoting time, effort and expense to engaging in litigation activities.

6. The parties therefore seek a continuance of all litigation activities, including all activities associated with discovery and providing notice of conditional certification of a collective action (e.g., posting and servicing notice), for an additional thirty days, up through and including November 30, 2013. The parties further seek an automatic extension of the continuance, in the event

1 that the parties finalize a proposed settlement and file a motion for Court approval of same prior to
 2 November 30, 2013, until such time as the Court rules on that motion.

3 7. The continuance sought will help facilitate settlement.

4 8. If settlement is not achieved, the continuance sought will not materially delay or alter
 5 the progress of this litigation.

6 WHEREFORE, the parties mutually request that the Court enter the proposed Order below,
 7 thereby continuing the deadlines for all litigation activities, including responding to pending
 8 discovery requests and serving/posting notice of conditional certification of collective action, up to
 9 and including November 30, 2013 or, if a motion for Court approval of settlement is filed prior to
 10 that time, until such time as the Court rules on said motion.

11
 12 Dated: October 22, 2013

Respectfully submitted,

13 LITTLER MENDELSON, P.C.

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 15 By: /s/ R. Bradley Adams

R. BRADLEY ADAMS (*pro hac vice*)
 ARTHUR M. EIDELHOCH
 GALEN M. LICHTENSTEIN
 JACQUELINE E. KALK (*pro hac vice*)
 KELLY D. REESE (*pro hac vice*)
 Attorneys for Defendants
 CROWDFLOWER, INC., LUKAS
 BIEWALD AND CHRIS VAN PELT

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 21 Dated: October 22, 2013

WEINHAUS & POTASHNICK

22 By: /s/ Mark Potashnick

23 MARK POTASHNICK
 Attorneys for Plaintiffs
 24 CHRISTOPHER OTEY, MARY GRETH
 and the conditionally certified FLSA
 25 collection action class
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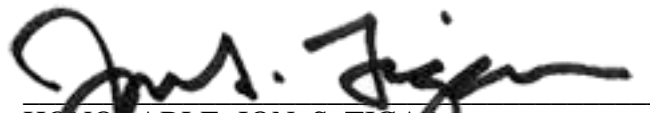
PROPOSED ORDER

Good cause appearing therefore, the foregoing Stipulation Re: Continuance of Litigation Activates Pending Anticipated Settlement and Motion for Court Approval of Same ("Stipulation") is hereby approved and it is hereby ORDERED that:

All litigation activities, including responses to pending discovery requests and service/posting of notice of conditional certification of collective action, are continued up to and including November 30, 2013. It is further order that in the event that the parties reach a final settlement and file a motion for Court approval of same on or before November 30, 2013, this continuance shall be automatically extended until such time as the Court rules on the motion.

PURSUANT TO STIPUATION, IT IS SO ORDERED.

Dated: October 22, 2013


HONORABLE JON. S. TIGAR
UNITED STATES DISTRICT COURT JUDGE